

# UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Apr 16, 2018**

SEAN F. McAVOY, CLERK

U.S.A. vs. Talavera, Emmanuel Hernandez Docket No. 0980 4:17CR06042-002

## Petition for Action on Conditions of Pretrial Release

COMES NOW Daniel M. Manning, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Emmanuel Hernandez Talavera, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke sitting in the court at Yakima, Washington, on the 4th day of January, 2018, under the following conditions:

**Condition #10:** Defendant shall not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner. This provision does not permit the use or possession of medical marijuana even with a physician's written certification. Defendant is prohibited from using or possessing any synthetic intoxicating substance, including but not limited to "Spice," "K-2," and other forms of synthetic marijuana.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

**Violation #1:** On February 28, 2018, First Step Community Counseling Services notified United States Pretrial Services the defendant submitted a urinalysis test on February 27, 2018, which tested presumptively positive for cocaine. The defendant signed a notice denying use of any substances. The sample was sent to Alere Laboratories for testing. Results received on March 3, 2018, from Alere Laboratories, indicated the substance tested positive for cocaine.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury  
that the foregoing is true and correct.

Executed on: April 13, 2018

by s/Daniel M. Manning

Daniel M. Manning  
U.S. Pretrial Services Officer

**Re: Talavera,, Emmanuel Hernandez**

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THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the cas
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

*M. K. Dink*



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Signature of Judicial Officer

4/16/2018

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Date